



CITY OF HAYWARD AGENDA REPORT

Planning Commission

Meeting Date: 6-28-01

Agenda Item: 1

TO: Planning Commission

FROM: Planning Manager

SUBJECT: Request by Calpine/Bechtel Joint Development for the City of Hayward to make a determination that a power plant (Russell City Energy Center) use at 3636 Enterprise Avenue is consistent with the General Plan and a use similar to a primary use permitted in the Industrial District.

RECOMMENDATION:

Staff recommends that the Planning Commission recommend that the City Council

- Find that the proposed Russell City Energy Center power plant use is consistent with the provisions of the General Plan and the use is similar to the primary use of Manufacturing in the Industrial District.

DISCUSSION OR BACKGROUND:

The authority to license power plants rests with the California Energy Commission. Local government, however, plays a significant role in providing input on local concerns and issues to the process, and support from the local jurisdiction is a key factor in the review process. Consequently, the City of Hayward has the opportunity to make some determinations as to its conformity with City regulations, which will be forwarded to the California Energy Commission. These determinations are being considered through a public hearing process before the Planning Commission and City Council.

The issue that requires a formal determination relative to conformity is whether the proposed Russell City Energy Center (RCEC) itself is consistent with the General Plan and the uses allowed in the Zoning Ordinance. The RCEC is proposed for a site on Enterprise Avenue, across the street from the City's Wastewater Treatment Plant. This area is classified as "Industrial Corridor" in the General Plan and the site is zoned Industrial. Recognizing the nature of the operation involving the manufacture of power, staff believes that the project is in conformity with the General Plan "Industrial Corridor" designation.

Conformity of Use

With regard to conformity with the Zoning Ordinance, in staff's opinion the RCEC fits under the primary use classification in the Industrial District zone of "Manufacturing" in that the

conversion of natural gas by mechanical equipment into electric power constitutes a form of manufacturing. The RCEC will be a 600-megawatt, natural gas-fired combined-cycle electrical generating facility, with a 230-kilovolt switchyard. A new 230 kV double-circuit transmission line will exit the RCEC switchyard eastward toward PG&E's existing transmission corridor, and then follow the existing transmission corridor. The City of Hayward will supply water to the RCEC site for domestic use and for fire fighting. Storm water collected on the RCEC site will be discharged into the Alameda County Flood Control District's drainage canal less than 100 feet south of the proposed site. Storm water collected on the new wastewater treatment plan will be discharged to the storm water system of the Hayward water pollution control facility. Although a power plant is not specifically listed as a permitted use in the Industrial District, the staff believes it is similar to other permitted uses and consistent with the intent and purpose of the district.

As detailed plans for the facility are not available, the City cannot evaluate the proposal in terms of meeting the City's "*Minimum Design and Performance Standards*" of the City of Hayward Zoning Ordinance, particularly as they relate the "Architectural Design Principles" and landscaping. The RCEC will be an entry statement to those entering Hayward from the Hayward-San Mateo Bridge, will be visible from those visiting the shoreline area, and will be extremely close to a major industrial arterial once Whitesell Street is widened and extended to State Route 92. It will be essential that serious consideration be given during the review process to the visual impacts of the RCEC and that those impacts be as minimal as possible.

At this point in the review process, the City is being asked to review and discuss whether the RCEC power plant use is consistent with the Industrial District of the Zoning Ordinance and the General Plan. This report is not meant to review the merits of the project, nor any of its potential environmental impacts. There is a separate, distinct, and elaborate review process, with ample opportunity for public input under the auspices of the California Energy Commission.


According to the State Law, power plant projects are not subject to the California Environmental Quality Act. Instead, they are subject to a similar process performed by the California Energy Commission (CEC). The CEC reviews every aspect of the project, conducts numerous hearings, and determines what the various potential impacts of the project may be. The review areas include, but are not limited to: Environmental Information, Air Quality, Water Supply, Gas Supply, Biological Resources, Cultural Resources, Geological Hazards and Resources, Hazardous Materials Handling, Land Use, Noise, Paleontological Resources, Public Health, Socio-economics, Soils and Agriculture, Traffic and Transportation, Visual resources, Waste Management, Water Resources, Engineering, Projects Alternatives, and Workers Health and Safety. As part of the review process, which could take from six months to a year, there will be public hearings and community meetings to facilitate the public input.

Calpine/Bechtel Joint Enterprises has submitted an application to CEC, and CEC is in the process of reviewing it to make a finding on data adequacy. Once the application is deemed data adequate, the CEC's review of the project itself begins.

Conclusion

In staff's opinion, the proposed use is in conformity with the General Plan and the Zoning Ordinance.

Prepared by:



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